

date twelve years after their origination unless the Committee by majority vote decides against such declassification, and provided that the executive departments involved and all former Committee members who participated directly in the sessions or reports concerned have been consulted in advance and given a reasonable opportunity to raise objections to such declassification.

(2) Any transcript or classified Committee report, or any portion thereof, may be declassified fewer than twelve years after their origination if:

(i) the Chairman originates such action or receives a written request for such action, and notifies the other members of the Committee;

(ii) the Chairman, Ranking Minority Member, and each member or former member who participated directly in such meeting or report give their approval, except that the Committee by majority vote may overrule any objections thereby raised to early declassification; and

(iii) the executive departments and all former Committee members are consulted in advance and have a reasonable opportunity to object to early declassification.

RULE 13—CLASSIFIED MATERIAL

(a) All classified material received or originated by the Committee shall be logged in at the Committee's offices in the Dirksen Senate Office Building, and except for material classified as "Top Secret" shall be filed in the Dirksen Senate Building offices for Committee use and safekeeping.

(b) Each such piece of classified material received or originated shall be card indexed and serially numbered, and where requiring onward distribution shall be distributed by means of an attached indexed form approved by the Chairman. If such material is to be distributed outside the Committee offices, it shall, in addition to the attached form, be accompanied also by an approved signature sheet to show onward receipt.

(c) Distribution of classified material among offices shall be by Committee members or authorized staff only. All classified material sent to members' offices, and that distributed within the working offices of the Committee, shall be returned to the offices designated by the Chief Clerk. No classified material is to be removed from the offices of the members or of the Committee without permission of the Chairman. Such classified material will be afforded safe handling and safe storage at all times.

(d) Material classified "Top Secret," after being indexed and numbered shall be sent to the Committee's Capitol office for use by the members and authorized staff in that office only or in such other secure Committee offices as may be authorized by the Chairman or Staff Director.

(e) In general, members and staff undertake to confine their access to classified information on the basis of a "need to know" such information related to their Committee responsibilities.

(f) The Staff Director is authorized to make such administrative regulations as may be necessary to carry out the provisions of these regulations.

RULE 14—STAFF

(a) Responsibilities—

(1) The staff works for the Committee as a whole, under the general supervision of the Chairman of the Committee, and the immediate direction of the Staff Director; provided, however, that such part of the staff as is designated Minority Staff, shall be under the general supervision of the Ranking Minority Member and under the immediate direction of the Minority Staff Director.

(2) Any member of the Committee should feel free to call upon the staff at any time

for assistance in connection with Committee business. Members of the Senate not members of the Committee who call upon the staff for assistance from time to time should be given assistance subject to the overriding responsibility of the staff to the Committee.

(3) The staff's primary responsibility is with respect to bills, resolutions, treaties, and nominations.

In addition to carrying out assignments from the Committee and its individual members, the staff has a responsibility to originate suggestions for Committee or subcommittee consideration. The staff also has a responsibility to make suggestions to individual members regarding matters of special interest to such members.

(4) It is part of the staff's duty to keep itself as well informed as possible in regard to developments affecting foreign relations and in regard to the administration of foreign programs of the United States. Significant trends or developments which might otherwise escape notice should be called to the attention of the Committee, or of individual Senators with particular interests.

(5) The staff pay due regard to the constitutional separation of powers between the Senate and the executive branch. It therefore has a responsibility to help the Committee bring to bear an independent, objective judgment of proposals by the executive branch and when appropriate to originate sound proposals of its own. At the same time, the staff shall avoid impinging upon the day-to-day conduct of foreign affairs.

(6) In those instances when Committee action requires the expression of minority views, the staff shall assist the minority as fully as the majority to the end that all points of view may be fully considered by members of the Committee and of the Senate. The staff shall bear in mind that under our constitutional system it is the responsibility of the elected Members of the Senate to determine legislative issues in the light of as full and fair a presentation of the facts as the staff may be able to obtain.

(b) Restrictions—

(1) The staff shall regard its relationship to the Committee as a privileged one, in the nature of the relationship of a lawyer to a client. In order to protect this relationship and the mutual confidence which must prevail if the Committee-staff relationship is to be a satisfactory and fruitful one, the following criteria shall apply:

(i) members of the staff shall not be identified with any special interest group in the field of foreign relations or allow their names to be used by any such group;

(ii) members of the staff shall not accept public speaking engagements or write for publication in the field of foreign relations without specific advance permission from the Staff Director, or, in the case of minority staff, from the Minority Staff Director. In the case of the Staff Director and the Minority Staff Director, such advance permission shall be obtained from the Chairman or the Ranking Minority Member, as appropriate. In any event, such public statements should avoid the expression of personal views and should not contain predictions of future, or interpretations of past, Committee action; and

(iii) staff shall not discuss their private conversations with members of the Committee without specific advance permission from the Senator or Senators concerned.

(2) The staff shall not discuss with anyone the proceedings of the Committee in closed session or reveal information conveyed or discussed in such a session unless that person would have been permitted to attend the session itself, or unless such communication is specifically authorized by the Staff Director or Minority Staff Director. Unauthorized

disclosure of information from a closed session or of classified information shall be cause for immediate dismissal and may, in the case of some kinds of information, be grounds for criminal prosecution.

RULE 15—STATUS AND AMENDMENT OF RULES

(a) Status.—In addition to the foregoing, the Committee on Foreign Relations is governed by the Standing Rules of the Senate which shall take precedence in the event of a clear inconsistency. In addition, the jurisdiction and responsibilities of the Committee with respect to certain matters, as well as the timing and procedure for their consideration in Committee, may be governed by statute.

(b) Amendment.—These Rules may be modified, amended, or repealed by a majority of the Committee, provided that a notice in writing of the proposed change has been given to each member at least 48 hours prior to the meeting at which action thereon is to be taken. However, Rules of the Committee which are based upon Senate Rules may not be superseded by Committee vote alone.

UNITED STATES TRADE SANCTIONS ON THE PEOPLE'S REPUBLIC OF CHINA

Mr. THOMAS. Madam President, late yesterday afternoon the Office of the United States Trade Representative received a letter from Wu Yi, the PRC Minister of Trade, stating that the Chinese were prepared to resume talks in Beijing next week on the issue of infringements on American intellectual property rights.

As I noted on the floor of the Senate yesterday, since 1992 the PRC has failed to live up to its obligations under the memorandum of understanding on intellectual property rights. Factories throughout China, especially in the southern and eastern provinces, continue to mass-produce pirated versions of American computer software, compact discs, CD-ROM's, and video and audio cassettes mostly for sale abroad. The USTR estimates that the sale of these pirated items has cost U.S. businesses more than \$1 billion. Efforts by the USTR to bring the PRC into compliance with the MOU have failed, resulting in the proposed sanctions announced by the administration on Saturday.

Madam President, I am very pleased that the Chinese Government has agreed to resume negotiations over this vitally important issue. A strong and equitable relationship between our two countries is of the utmost importance, and I know that no one relished the prospect of a protracted trade dispute. I hope that the PRC will use this opportunity to constructively address our grievances, and move toward adopting stronger measures to curb economic piracy.

IS CONGRESS IRRESPONSIBLE? THE VOTERS HAVE SAID YES

Mr. HELMS. Madam President, the incredibly enormous Federal debt is a lot like television's well-known energizer bunny—it keeps going and

going—at the expense, of course, of the American taxpayer.

A lot of politicians talk a good game—when they are back home—about bringing Federal deficits and the Federal debt under control. But so many of these same politicians regularly voted in support of bloated spending bills during the 103d Congress—which perhaps is a primary factor in the new configuration of U.S. Senators.

This is a rather distressing fact as the 104th Congress gets down to business. As of Friday, February 3, 1995, the Federal debt stood—down to the penny—at exactly \$4,804,906,983,189.27 or \$18,239.50 per person.

Madam President, it is important that all of us monitor, closely and constantly, the incredible cost of merely paying the interest on this debt. Last year, the interest on the Federal debt totalled \$190 billion.

Madam President, my hope is that the 104th Congress can bring under control the outrageous spending that created this outrageous debt. If the party now controlling both Houses of Congress, as a result of the November elections last year, does not do a better job of getting a handle on this enormous debt, the American people are not likely to overlook it in 1996.

ED LEVI—AN OUTSTANDING ATTORNEY GENERAL

Mr. KENNEDY. Madam President, today marks the 20th anniversary of the swearing-in of Edward Levi as Attorney General of the United States under President Gerald Ford.

Throughout our history, we have been fortunate when the right man has served in the right job at the right time. Ed Levi was the right man at the right time when he was nominated by President Ford and confirmed by the Senate as Attorney General.

Those were turbulent times. Skepticism and cynicism abounded. The Department of Justice was still suffering from the Watergate scandal. Two Attorneys General had been indicted. Another had resigned rather than follow a President's order. In just over a year, the Department of Justice had three Attorneys General, three Deputy Attorneys General, and even more assistant attorneys general. Stories began to surface about abuses committed by the Federal Bureau of Investigation—the arm of government entrusted with the investigation of violations of the law. Select committees were formed to investigate the FBI as well as the CIA and other intelligence agencies. Faith in the fairness and integrity of the administration of Federal justice was at a low ebb.

Levi, in his 2 short years as Attorney General, restored that faith. He did it by the sheer force of his own integrity, by a concerted effort to articulate the standards that would govern government conduct, and by his demonstration to the public that these standards

would ensure that our Nation remained a government of laws.

There was not time, of course, to do everything. There never is. But much was accomplished. Standards were formulated to guide the conduct of the FBI. As a protection against abuses of the past, guidelines were developed for the first time to govern domestic security, foreign intelligence and counterintelligence investigations, and other aspects of the Bureau's work, including the handling of informants and background employment investigations.

All of these issues were extremely controversial. One statistic demonstrates the profound effect that these guidelines have had on the Bureau's operation. In July 1973, the FBI had more than 21,000 open domestic security cases. Many were investigations of Americans and American groups who were considered to be threats to domestic security. After the guidelines were adopted, by September 1976, the number was reduced to 626. It is even lower today.

The test of time has demonstrated that these efforts did not hamstring the FBI. They strengthened the Bureau and protected its agents. These principles still guide the Bureau's operations.

Another controversial practice split constitutional scholars and sowed the seeds of Government distrust. When Ed Levi became Attorney General, the FBI tapped telephones and planted microphones to gather foreign intelligence without any prior judicial approval—that is, without a warrant. Though approval of the Attorney General was required for this warrantless electronic surveillance, suspicions were rife about who was being wiretapped and how many listening posts existed throughout the country.

To reassure the public, Attorney General Levi took several steps. He announced that there were no outstanding instances of warrantless taps or electronic surveillance directed against American citizens. He then undertook, at every opportunity, to discuss the process and safeguards that guided the use of electronic surveillance. But he realized that he could not eliminate this distrust of Government without legislation that would balance the need to protect personal privacy and the need to protect the Nation from foreign terrorism.

He proposed a law that provided a judicial warrant mechanism employed by a special court, shaped to meet the particular problems of foreign intelligence and to do so within constitutional standards. Just as he had done in drafting the FBI guidelines, he consulted with Congress in the best nonpartisan tradition. Indeed, the legislation was drafted by the staffs of the Department of Justice and the Senate Judiciary Committee, working closely with the Attorney General and many Members of Congress. I recall frequent conversations with Attorney General Levi concerning this proposed legislation. Soon after its introduction, the bill was

overwhelmingly approved by the Senate Judiciary Committee and the Senate Intelligence Committee. It was enacted in the next Congress as the Foreign Intelligence Surveillance Act and it is a tribute to Attorney General Levi's principled and effective leadership.

Other accomplishments were just as important. As the guidelines governing decisions about how and when to conduct investigations were nearing completion, the process was launched to establish standards to govern the equally important area of prosecutorial decisions—such as when to charge an accused, when to bargain for a guilty plea, when the Federal Government should prosecute an individual already prosecuted in State court for a related offense, and when to grant immunity in exchange for testimony. Immigration policies were reformulated to deal with illegal immigration within a framework that protected the rights of individuals. His comments then are just as relevant today:

We must remember that we face the problem of unlawful immigration because we remain the world's best hope. Unauthorized immigrants are responding to the same human impulses that motivated each of our forebears. We must address the illegal alien issue in a manner compatible with our democratic values and our tradition as a nation of nations.

I also recall the time when the Ford administration, acting through Attorney General Levi, proposed major new handgun control legislation to require a waiting period before a handgun could be purchased. The Ford administration sought in vain to find a Senator from the President's own party willing to introduce such legislation. I met with the Attorney General and offered to sponsor the administration's legislation in an effort to advance the debate over handgun control. The Attorney General recognized that any comprehensive effort by the Federal Government to stem the tide of violent crime required effective handgun control legislation. The successful and bipartisan enactment of the Brady law in the last Congress owes a great deal to the leadership of Ed Levi many years ago.

Throughout his tenure as Attorney General, Ed Levi was guided by the fundamental principle of equal justice under law for all Americans. He believed that faith in the law must continually be renewed or else it is lost. As he said near the end of his services as Attorney General in words that should still guide us today—

In a society that too easily accepts the notion that everything can be manipulated, it is important to make clear that the administration of justice seeks to be impartial and fair, and that these qualities are not inconsistent with being effective.

A grateful Nation pauses today on this anniversary to honor a great Attorney General for all he did at a difficult period in our history to restore the Nation's faith in its system of law